

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
SOUTHERN DIVISION

TAMEKA BERRY, AND KIMBERLY  
WALL,

Plaintiffs,

v.

Case No. 1:20-cv-02932-JMS-MPB

STEAK N SHAKE INC.,

Defendant.

**MOTION TO WITHDRAW MOTION TO APPEAR *PRO HAC VICE* [34]**  
**AND REQUEST FOR FILING FEE REFUND**

Counsel for Defendant filed a Motion to Appear *Pro Hac Vice* [Doc. 34] today, January 26, 2021. Defendant asks the Court to withdraw the motion and to refund the \$100.00 filing fee. In support of same, the undersigned states as follows:

1. Document 34 was erroneously filed as undersigned counsel is currently admitted to practice in the United States Court, Southern District of Illinois.
2. Undersigned counsel had directed that a notice of appearance be filed; however, the Motion for Admission *Pro Hac Vice* was filed instead, in error.
3. Additionally, it is requested that the \$100.00 filing for admission *pro hac vice* be refunded to Ogletree Deakins.

WHEREFORE, for the above reasons, counsel for Defendant requests that Motion to Appear *Pro Hac Vice* [Doc. 34] be withdrawn from the docket and the \$100 filing fee, Receipt No. 0756-6384526, be refunded.

Dated: January 26, 2021.

Respectfully submitted,

/s/ Patrick F. Hulla

Patrick F. Hulla, MO 41745  
Ogletree, Deakins, Nash, Smoak & Stewart, P.C.  
4520 Main Street, Suite 400  
Kansas City, MO 64111  
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*patrick.hulla@ogletree.com*

**CERTIFICATE OF SERVICE**

I hereby certify that on this \_\_\_\_\_ day of January, 2021, the foregoing was filed electronically with the Clerk of the Court using the ECF system, who then sent email notification to:

J. Russ Bryant  
Robert E. Turner, IV  
Robert E. Morelli, III  
**JACKSON, SHIELDS, YEISER,  
HOLT, OWEN & BRYANT**  
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**ATTORNEYS FOR PLAINTIFF**

/s/ Patrick F. Hulla  
Patrick F. Hulla

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**TAMEKA BERRY, AND KIMBERLY  
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**Case No. 1:20-cv-02932-JMS-MPB**

**STEAK N SHAKE INC.,**

**Defendant.**

**ORDER GRANTING MOTION TO APPEAR *PRO HAC VICE***

This cause has come before the Court upon the motion of **Patrick F. Hulla**, counsel for Defendant Steak N Shake, Inc, for leave to appear and participate *pro hac vice* in the above-captioned cause only. Being fully advised, it is now ORDERED that the motion be, and hereby is, GRANTED.

Applicant's contact information should be entered as follows:

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Facsimile: 816-471-1303  
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Dated: \_\_\_\_\_

\_\_\_\_\_  
Judge Matthew P. Brookman  
United States District Court  
Southern District of Indiana

Distribution list:

To all registered counsel by CM/ECF  
To PHV applicant via U.S. Mail  
Patrick F. Hulla  
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